IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.44640 of 2008
DHANICHAND DAS, son of late Mishri Das, Resident of
village Pranpak, P.S. Dalsingsarai, District Samastipur … Petitioner
Versus
STATE OF BIHAR …. Opposite party

02/ 28.11.2008 Heard learned counsel for the petitioner and the State.

Petitioner is an accused in a case under Section 366 of the Indian Penal Code, which is registered against four accused persons. During the investigation, victim was examined under Section 164 Cr.P.C. in which she even alleged against one Gyanchand. After her examination under Section 164 Cr.P.C., she again appeared before the police and recorded her statement under Section 161 Cr.P.C. clarifying that Gyanchand, who has been implicated in the 164 Cr.P.C. statement, was a mistake as the victim intended to implicate the petitioner and not Gyanchand.

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Be that as it may, petitioner, namely, Dhanichand Das is directed to be released on bail on furnishing bail bond of Rs. 5,000/- (Rs. five thousand only) with two sureties of the like amount each to the satisfaction of the Additional District Judge, Fast Track Court No. 1, Samastipur in connection with Dalsingsarai P.S. Case No. 68 of 2008 (S.T. No. 697 of 2008).

Arjun/ **(V.N. Sinha, J.)**